



Quid Novi

Faculty of Law of McGill University / Faculté de Droit de l'Université McGill

Top Ten

Molson Aix

JAN-F. PLESZCZYNSKI - BCL III

Top Ten Things That Sound Dirty in Law, but Aren't

10. HAVE YOU LOOKED THROUGH HER BRIEFS?
9. HE IS ONE HARD JUDGE.
8. COUNSELOR, LET'S DO IT IN CHAMBERS.
7. HIS ATTORNEY WITHDREW AT THE LAST MINUTE.
6. IS IT A PENAL OFFENSE?
5. BETTER LEAVE THE HANDCUFFS ON.
4. FOR \$200 AN HOUR, SHE BETTER BE GOOD.
3. CAN YOU GET HIM TO DROP HIS SUIT?
2. THE JUDGE GAVE HER THE STIFFEST ONE HE COULD.

AND THE NUMBER ONE THING THAT SOUNDS DIRTY IN LAW BUT ISN'T:

1. THINK YOU CAN GET ME OFF?

SPECIAL INSERT!

Symposium on the UN Convention on the Rights of the Child

Details on and in pgs. 10-11

JEAN-PIERRE MICHAUD &
VANESSA SILVER

9 FÉVRIER, 1999 AIX-EN-PROVENCE. LE
CHAMBRE DE JEAN-PIERRE MICHAUD - CITÉ
UNIVERSITAIRE DE CUQUES; 4PM

MAR 12 1999

Knock, knock, knock.
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«Oh, wine.»

«Tu veux un verre?»

«I need a glass, thanks. Sorry I'm late to do this article but I just had to contend, once again, with the never-ending "carte de séjour" saga. This card which is designed to allow me to stay in the country for 10 months will probably be issued on my date of departure.»
«Oh, la maudite bureaucratie!»

«The French have it mastered. Hey...you've redecorated. Special occasion?»

«Rien de spécial. J'essaie juste de combattre la morosité de la Cité universitaire de Cuques. Un poster des Backstreet Boys (c'est un souvenir de voyage de Berlin), des cartes de Noël et une carte d'Europe que Tamas m'a laissée avant de rentrer à Budapest.»

«Ah...trying to tolerate an intolerable situation...a residence withouth toilet seats, TP, 1 telephone for 400 persons, 3 laundry machines for 1,500 and restricted hours of hot water. Oh, the glamour. By the way, what's that smell in your room?»

«Laquelle?»

«I'm...ah...not sure.»

«Ça sent bon, n'est-ce pas? C'est une sauce que je prépare pour un souper spécial ce soir. C'est la dernière soirée de Silvia avec nous. Elle retourne à Florence demain.»

«You dare to cook Italian for an Italian. T'es courageux toi. Give her my regards. It's bizarre to reflect on all the many personalities that have surrounded us from all corners of the earth. This experience is far less "French" than I would have expected...»

«Yeah, from what I see (and hear), you really improved your French...»

«Yes, well, TACK MIN VÂN! I've been working on a couple of Scandinavian languages with my special Norwegian friend. Et toi, au lieu de parler avec le chiant accent français, tu parles avec un accent hongrois. C'est pas beaucoup mieux.»

«C'est pas ma faute si les gens ne me comprennent pas quand je parle normalement, tabarnac...»

«Good that you have a sense of humour about that accent of yours...given that most foreigners thought that you were trying to learn the French language at the beginning of the semester.»

«Ton verre est vide... un petit refill?»

«A fine two dollar bottle of "Côteaux d'Aix-en-Provence." I see you decided to splurg.»

«Non, quand même je bois pas de vin "cheap." J'ai payé cette bouteille six dollars. Tu sais bien Vanessa que ta compagine vaut bien ça.»

«Oh, J-P, you're too good to me.»

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LSA COFFEE HOUSE NEWS

March 5

**GOODMAN, PHILLIPS & VINEBERG COFFEE HOUSE.
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THE MED ANNEXE...**

March 5 (evening)

**SKIT NITE PARTY AT MED ANNEXE! THE FRENZY
BUILDS...**

Quid Novi

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Ask Heloise

BY SPECIAL GUEST WRITER NICOLE,
MCGILL NATIONAL PROGRAMME
ALUMNIST (RECENT)

Dear Heloise:

As you know, yesterday was Valentine's Day; I am usually a real romantic about these things, but this year I really blew it. I have a major P.I.L. mid-term this week, and I had to study all weekend. I just couldn't go out with my honey, even though she promised that it would be for a "quick dinner". Now I'm really in the doghouse, and I can't concentrate on my studying. What should I do?

Sincerely,
Heart in Hot Water

Dear Heart in Hot Water:

Hi!! Thanx for taking the time to subscribe this epistle to Heloise about this totally consequential predicament. When I first read your letter, I really comprehended what you were getting at, and I empathized for you. I thought to myself, "Oh my God!!" (and I mean like *Oh My God*. And I don't curse much!!) In all the months I've been articling here, I've *never* thought of pilfering a piece of Heloise's mail (or any office supplies whatsoever), but your missive cried out for my tender assistance, the sort Heloise could never give. You see, I too have perpetrated the ultimate sin of toiling throughout my beau's special day. He said he wasn't perturbed, but I could see it in his eyes that he would never forgive me for forgetting his cat's birthday. He bravely said he didn't even like the cat, but how could anyone not love Minou? Besides, what other explanation could there be for his decision to become a homosexual? I fear the concept of your cherished sweetheart deciding to turn gay too, so I snatched the letter from the pile and dissolved to rectify your impasse (that means "problem" J!!).

I'm a bit weary of giving you advice, but with every beat of my heart, I believe that this will help you and your covergirl achieve another day in paradise. I was inspired driving to work today, listening to one of my favourite tapes. Let's just say you have to take it "Step by Step". *Step One: You should have lots of fun.* Next weekend, treat her like princess. Concoct a getaway together, just the both of you!! *Step Two: It's just up to*

you. Don't blame it on the rain; you made your own bed, now U have to dig your way out. *Step Three: Buy her a lot of presents.* I don't know if this is in the song, but it works!! *Step Four: You can give her more.* Don't think dinner and a movie is ample enough, Buster. Remember, you missed Valentine's Day, the most monumental day of the year other than Easter. Note on life in general: You can make a summary for Tax Policy, but you have to have high attendance to pass Love 101!!

I hope that helps you copiously, Mr. Happy Heart. But now I would like to take a moment to discuss something all men

should know about, something my friends and I feel is a crucial sociologic phenomenon: hygiene. Most guys' paradigm is "if it doesn't smell, I can wear it" (Yuck!!). Can't you get up five minutes earlier to iron a shirt? Hello, grunge went out with the 80s. Looking good means that you're a good person, because if you care about yourself, you must care about others. Especially when it comes to halitosis.

Until next time, play safe, and keep right on playing!! Remember, Heloise (and me) is just a letter away.

XOXO,
- NICOLE.

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Law Students' Association submission to the Dean Selection Committee for the Faculty of Law

AXEL BERNABÉ (VP External);
MALA KHANNA
(Co-chair, Women & the Law);
LIZ DRENT (VP Internal);
MARIO NIGRO (President)

Le vendredi 19 février, en réponse à une demande faite par le comité pour la sélection du doyen, des membres de l'Association Étudiante ont présenté les qualités que recherchent les étudiants chez le doyen. Nous voulons sincèrement remercier tous les étudiant(e)s qui, en réponse à notre sollicitation, ont soumis des commentaires à ce sujet. Nous avons réussi à incorporer toutes vos suggestions, aussi bien dans notre présentation écrite (que vous trouverez ci-dessous) que dans nos présentations orales.

We met with the committee for almost an hour, and were very pleased by the interest its members showed in the concerns of students and by their insightful questions. While the process remains largely confidential, the committee informed us that they hope to reach a decision by the end of March. If you are interested in the process, and have any further questions or comments, please contact one of the two student representatives on the committee (Sherwin Majlessi, a graduate student in the Institute of Comparative Law [majles_m], and Alex Johnston, NAT IV [johnst_a]).

Tout au long de notre présentation, nous avons mis l'accent sur le caractère unique de la relation entre le doyen et les étudiants de la faculté de Droit, et sur l'importance de trouver un(e) candidat(e) qui serait disposé(e) à agir en réponse aux préoccupations étudiantes.

ISSUES EXTERNAL TO THE FACULTY:

- I. Presentation of new curriculum
 - Active in communicating with firms, academia, and the larger community on the progress of curriculum reform.
 - **Able to demonstrate leadership and a unified vision of the new program.**
- II. Recruitment outreach
 - Active in seeking out potential candidates from traditionally marginalized groups and encouraging them to apply.
- III. Employment outreach
 - Continues emphasizing traditional forms of employment (ie. firms)
 - Encourages the development of the placement office.
 - Encourages alternative employment opportunities by developing the contacts in his/her field. For instance by bringing in speakers and conferences, establishing internships, promoting McGill graduates to the local and international NGO sector, forging closer contact with European Universities and research centers, etc..

ISSUES AFFECTING STUDENT GROUPS:

- I. Issues of equity must be taken into consideration in the selection of the Dean.
 - Currently, women are significantly under-represented within the Faculty, and there are no members of visible ethno-cultural groups on permanent Faculty.
 - Each candidate should be looked at not only for the diversity that they could bring to the position, but also for their proven experience, interest, and commitment to equity issues.

II. The Dean cannot be laissez-faire about issues of equity. Rather, the Dean must be pro-active on equity issues.

- **The Dean must be someone that is accessible to student groups - particularly groups that have been traditionally under-represented within the Law school (i.e. regular meetings with equity seeking student groups).**
- **The Dean must be able to recognize where action is necessary, and be prepared to take action with respect to equity issues (i.e., initiation of, and participation in public awareness events).**
- **As it is the Dean, in large measure, who sets the tone of the school, his or her presence at equity oriented student and faculty gatherings sends a strong message that these are issues that are important to the Faculty.**

ISSUES INTERNAL TO THE FACULTY

- I. Approachability: students place great importance in the capacity of the Dean to relate to and interact with them; they value a Dean who is open to student concerns and deeply interested in the life of the Faculty in all its facets. Enthusiasm for the diversity of student activities would manifest itself in
 - support for, attendance at and participation in various events at the faculty, initiated by students and professors;
 - demonstrated rapport with students, a willingness to be available to them and to act on concerns brought to his/her attention by students
- II. Vision: students seek a Dean who believes in and who is committed the

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unique identity of McGill's Faculty of Law. This is of critical importance as the Faculty embarks on the project of implementing curriculum reform. We believe that it is essential for the success of the new program, and for the experience of current students, that the Dean be deeply committed to the revised National Program. This could translate into

- An ability to effectively communicate to students the great advantages and uniqueness of the new program

- An ability to foster among the professors enthusiasm for and commitment to the project

- An understanding of the program's strength as lying not only in its comparative aspect, but also in the breadth of its course offerings

III. Curriculum:

We strongly believe that the strength of the Faculty lies in the bilingual nature of the program, and that this strength is only enhanced by

the availability of a wide variety of courses, particularly ones that focus on issues related to equity. To this end, we hope that the new Dean will

- Act as a strong advocate for diversity in course offerings both as the new curriculum is developed, expanded and implemented, and through the process of hiring new professors

- Act as a strong advocate for diversity in course content in the revised versions of core courses

Deliberations of the Committee to select a new Dean for the Faculty of Law are ongoing. If you have questions, comments or thoughts on the qualities you would like to see in a new Dean please direct them to members of the committee which include Professor William Foster, Professor Daniel Jutras, Alex Johnston (National IV, johnst_a) and Sherwin Majlessi (Graduate student, Majles_m). All feedback is welcome.

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On Living With Lucifer

JEREMY ESTABROOKS - LLB I

Long ago, when I was young, I was both terrified and intrigued at the thought of confronting the Devil. Whenever I was made to visit my grandmother, a militantly pious woman, she would regularly inform me of the Devil's whereabouts in this or that room of her house. He seemingly had an interest in roaming around that old house and, oddly enough, he had always managed to find himself in the particular room that my grandmother wished me to avoid cluttering up that day.

Needless to say, sharing the same quarters as the Devil was oftentimes a harrowing experience. However, I soon became terribly curious as to how in God's name the Devil kept himself

occupied all day in that little house. Maybe he was rummaging through the dining room, playing with his reflection in my grandmother's sterling silver platter. Or perhaps he was staring out the window of the solarium, cooped up in that little room, which was stuffed with all those unread Reader's Digests that had yellowed with age, counting the number of Volkswagen Beetles that would drive by the house. As far as I was concerned, my grandmother was the most boring person on Earth, and her assertion that the Devil was spending a good deal of his day pacing around her house gradually had the effect of taming that terrifying image of him that they had tried so industriously to instil in me at Sunday school. My instructor would say to me, "You know, Jeremy, idle hands do the

work of the Devil," and thinking of him back in that stuffy little house on Pine Street playing Yahtzee by himself, I'd reply "That's for sure."

Now, almost two decades later, the thought of one day confronting the Devil still comes back to

me every so often. Perhaps he is still in the dining room of my grandmother's house, waiting for me to come back to pay him a visit, wondering if I mightn't have completely forgotten all about him. For, although we had always let each other be, and managed to never cross paths as we whiled away those days at my grandmother's house, I always felt that a sort of neighbourly sentiment existed between us. Perhaps if we had inadvertently bumped into each other in the hallway at some point, one of us just leaving a room while the other just entering, we would have given each other a discreet nod and continued on our ways without saying a word. Both of us would have undoubtedly sensed that insatiable feeling of boredom that hung so heavily in our hearts as we tried to find something interesting to do in that most boring of houses.

Now that so much time has passed we would probably have a good deal to say to each other about those days gone by. Like the time I heard him rap on the wall to my bedroom when I was calling out to my grandmother that it was much too early for it to be my bedtime. Obstinate fool that I was, I paid no heed to her warnings that the Devil might get upset if I made any noise after she put me to bed. Perhaps now we can sit down and have a good laugh about the whole affair. I've always been curious if he was genuinely upset at me for disturbing his beauty rest or if perhaps he wasn't just toying with my inane childhood fears, the bugger.

Manque de Loisir

PASCAL OUMET - BCL III

Lorsque mon frère n'était qu'un enfant, il aspirait à devenir vendeur de crème glacée. Il travaille maintenant dans une firme de financement corporatif. Je le sens tout près de son but. Mais comme ceci n'a rien à voir avec cet article, passons.

Cet article a un but bien plus édifiant, celui de débiter une querelle, un démêlé, une controverse... En effet, il y a manque de polémique à l'intérieur du Quid, manque de gens s'attaquant à coup d'article. La querelle Lajoie-Hoffman maintenant terminée, que me resté-t-il pour agrémenter mes lundis après-midi et mardis matins ? Les sports intramuros en revue, les diffamations de M. Peden (que j'aime bien) et le tableau contenant les millions d'emplois disponibles pour l'étudiant en droit.

C'est pour cette raison que j'inviterais quelqu'un ou plusieurs d'entre vous à me répondre et me dire qu'il/elle/ils/elles a/ont raison et que j'ai tort, à me menacer et ainsi de suite. Sachez que je pense la même chose de vous.

Alors voici une liste d'un petit nombre de mes croyances (qui s'avèrent être réalité) : Les gommes Bazooka ne sont bonnes que pour la première minute, Dieu n'existe pas, la Sri Lanka est une pure invention des médias, les fondations de la nouvelle bibliothèque sont faites de papier mâché, les triangles isocèles constituent la forme géométrique la plus plaisante, les ordinateurs ne sont pas vos amis, Jim Carrey n'est pas un bon acteur, la légalisation du port d'arme est nécessaire à la paix sur Terre, il n'est pas possible d'être à l'aise dans des boxers.

Allez maintenant, en français ou en anglais (mais en aucune autre langue car toutes les autres langues ne servent absolument à rien), essayez de faire valoir votre raisonnement ; je vous attends tous.

A lesson learned

KERRY BENZAKEIN - BCL III

In my past life, the life I led before law school, I used to fancy myself a writer. So, I have often asked myself why I don't write an article for the Quid. Well, the other night at dinner, someone asked Ms. Laurel Nast, former Quid contributor, what had happened to the Chancellor Day Fiction Club. She told us that she had said all she had to say. Well, I suppose that I hadn't had anything to say, but now I do. Nothing of great importance, and I can't guarantee that it will impact upon you in the slightest, but I want to say it, anyway.

I've had a run of bad luck lately, which I won't pretend to have kept to myself. I am certain that you have all managed to catch at least a brief glimmer of my own personal tale of woe, as I have broadcasted it over the past few weeks. It has been very difficult for me to see past the small misfortunes that have been piling up in my life since term began. I will not bore you by enumerating them here, but suffice it to say that I had been worn threadbare from the stress, from the disappointment of one minor trauma piling itself upon the last, until I

no longer wished to lift the covers off my head in the morning. I know, I know. 'Spare us the melodrama, Benzakein, and get to the point.'

The point is, it finally broke. I finally got it. Yes, it. I am not prepared to open myself up to public scrutiny and humiliation by revealing exactly how this epiphany came to be, but I will let you in on what I learned. I learned that everything can change in an instant, and I learned to believe in first impressions. I learned that things you've convinced yourself of for years may be reversed in a fleeting touch, forgotten in a wink. I learned that my personal space can be invaded by a sidelong glance, just as I learned a few months ago that you can feel the most alone when you're locked in an embrace. A short time ago, I learned that the things we cling so desperately to, that we believe in most strongly, may be mere illusions, and that sometimes people are just as you hope they won't be. I learned to recognize that words mean everything and deeds mean little, though I had longed to believe the reverse. I learned that giving does not engender receiving, and that a promise made is not always good enough.

I learned (yes, Cheryl) that the frogs we kiss don't always turn out to be princes, and that a few princes may even turn into toads. I learned that clichés are clichés because they're true. And I learned that you can depend on no one but yourself (except maybe a little orange cat, if you've got one).

"Spare us the drivel, Kerry. Get to your point already!!" For those of you who have heard my stories, you should be accustomed to how it is taking me to finish this up. But here we are; I believe that the point of this tale is rising there, beyond the next paragraph. Yes, yes it is. Right there on the horizon of the page lies my message, my advice to you, my epiphany. I hope that, for your sakes, a thirteen-year-old doesn't have to be the one to tell you. Because that's who told me.

Her name is Aviva, and she's a student of mine. She turned to me this past Saturday, as I moaned about my most recent irritation. She turned to me, and with insight unbecoming an adolescent, told me to straighten up, quit my whining, and make a change. No, this wasn't the epiphany. What was epiphanic was her instruction to go with my heart, and to take a chance instead of sitting around and waiting for opportunity to knock.. Rather than complain, I should jump in with both feet, and make the changes necessary to get at this chance, rather than let it pass me by. So I fail? So what? There will be other days, other chances, other people. There will always be a tomorrow. And another, and another.

I know that it's trite, and it's nothing I hadn't heard before. But it shocked me to hear it from such a young face, from a teenager I've known since she was in kindergarten.. My point is not that we should heed to that advice, and run headlong into experiences, into life-altering decisions, into love. But, I think that we should take a chance, just one. Just try it one day. I did, I suppose. Maybe not with my education or my home, or even my bank account, but I let my heart take a chance this past weekend. I'm still reeling, I suppose, and a little bruised, but I've been worse. Because I'm suddenly so thrilled to be sad, to have that pang of hurt, of regret, the mild sting of what could have been. Because at least I know. I know what could have been, and am acutely aware of what still could be. I have decisions I can make, chances I can take, and millions of things to learn.

I can't wait.

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Plus jeune, j'étais indépendante,
un peu folle et je rêvais de refaire le monde...

When I was young, I was independent,
a little crazy and dreamed of changing the world...

Je n'ai pas changé.

I haven't changed



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Devil's Advocate

TONY HOFFMANN LLB I

Whether I'm here or not when you read this column is fairly immaterial to its purpose. In any event, it is the last Devil's Advocate column I'll be writing. Not for any particular reason. I just don't feel bombastic and caustic enough to amuse myself, far less you the readers, anymore. We all come to a point in our lives when we have to re-evaluate ourselves. As I quipped last week, I don't like self-evaluation. Well, the time has come to do precisely that, and I'm not sure where it will lead me. I do know that, while I am very appreciative of the praise of many of you, the vicious and violent reaction to some of my words strikes me as good a reason as any to cease and desist. In any event, I'm sure that despite Law School's veneer of political correctness and upright morality, some of which I agree with, most of which I find a touch over the top, there are many other Devil's Advocates that will be able to take up the flame. I'm counting on you all. Suffice it to say that it's been extinguished in me. I won't go into the details because they'd be more likely to bore you to death than fascinate you with their depth and thoughtfulness, two characteristics for which I am not well known.

There are nevertheless some things that must be said. Foremost, I want this to sound neither like any manner of abdication of what I believe in, nor an apology for anything I said. Everything I wrote was what I thought. Yes, it was often uncouth, rude, derogatory, and may have offended some of you, but one can hardly hope to please all of the people all of the time when it's well nigh impossible even to please some of the people some of the people some of the time. To those of you that took my feeble attempt at humour as an insult, all I can say is that you severely misinterpreted my words. They were meant in humour, kindly, and without malice, and if you took them as anything more than the babbling of a cynic such as myself, then you read too much into them. There is something to the old phrase "Sticks and stones may break my bones, but words can never hurt me." Don't believe everything you read. Of course, if I said I was lying the whole time and that I actually believe the complete opposite then, well, that too would be a lie.

Whatever the reasons, where once I saw food for thought and food for humour virtually dripping off the walls of OCDH, NCDH, Gelber, and Thompson House, there is only the bare concrete, tile, carpet, and stale air. Where once the decoy owl stationed so oddly beside the door of the new library struck me as humourously odd, it now strikes me only as unbelievably ridiculous, a ridiculousness that no longer makes me smile, serving only to confuse me further. I am no longer struck by the humour in every situation. It simply vanished. I am reminded of one of my favourite short stories. It's called "The Jokester", but Isaac Asimov, and it tells the story of how, if we ever figure out where all the worlds jokes come from, they

will instantly disappear. I feel rather like I'm in that story, for I find myself, for the moment, devoid of any memory of any jokes or any humour.

Call that what you will, but it is definitely the point at which one must stop and re-orient oneself. Paradoxically, I'm not sure where that re-orientation will take me, but I know that I want to go there.

One final thought. Well, more of advice. Don't ever stop questioning the things around you, and do it in a humourous light. They say that if you laugh, the world laughs with you, cry, and you cry alone. Whatever you do, don't ever stop laughing, because life on this miserable planet we call home would be pretty much unendurable without laughter.

NEXT QUID

March 8

Deadline for submissions...

Thursday March 4 at
17h30

Dare to be Conventional

ERIC WARD - LLB I
COMMITTEE CHILDREN AND THE LAW...

The U.N. Convention on the Rights of the Child (UNCRC) is unique in the history of human rights instruments. Anyone with an interest in childhood, human rights, or international law will find this treaty useful, surprising, and perhaps provocative.

Although it has been in force for only a decade, this treaty is nearly universally ratified (only the U.S. and Somalia remain unbound by its provisions). As a Convention, the UNCRC is legally binding on States Parties whereas declarations are not.

The U.N. Convention on the Rights of the Child is the first major post-Cold War international rights agreement. Previous instruments had suffered from the ideological impasse that severed civil liberties from social or economic entitlements. In the UNCRC, political, civil, economic, social, cultural, and even environmental rights are integrated to an unprecedented degree. This makes sense. Democratic rights will ring hollow to a citizen whose cognitive development was severely impaired by environmental contaminants, or to families whose waking hours are devoted entirely to meeting basic needs. Conversely, the UNCRC denies that a drive towards economic or social objectives can be legitimately pursued to the exclusion of participatory rights.

At the core of the UNCRC is a view of the child as an autonomous person, not merely as an object of compassion. Therefore, accompanying the provisions protecting children from abuse, starvation, kidnapping, conscription and the like, there are also articles recognizing the child's right to preserve his or her identity (Art. 8), to freedom of thought (Art. 14), to development of personality through education (Art. 29), and to rest and leisure (Art. 31). States Parties are bound to assure the child "capable of forming his or her own views the right to express those views freely in all matters affecting the child" (Art. 12(1)). The child must be heard in "any judicial and administrative proceedings affecting the child" (Art. 12(2)). This provision is a challenge for the practice of family law -

La Convention d'interdiction des mines antipersonnel devient loi internationale

MÉLANIE GAGNON - AMBASSADRICE
JEUNESSE POUR L'ACTION CONTRE LES MINES
ANTIPERSONNEL

Lundi le 1er mars prochain, la Convention d'interdiction des mines antipersonnel prendra force de loi en droit international. Cette Convention constitue une étape importante vers l'élimination d'une arme qui engendre misère et souffrance dans plusieurs régions du monde. Il s'agit d'un Traité qui réclame que les droits de la personne universellement reconnus, tels que le droit à la sécurité de la personne, et les principes internationaux, tels que la distinction entre les civils et les combattants durant une guerre, soient véritablement appliqués.

En vertu du Traité, il devient illégal d'employer, de produire, de stocker et d'exporter les mines antipersonnel. Le Traité s'intéresse également à l'impact des mines sur les populations. Les pays doivent ainsi collaborer en vue de détruire les stocks, enlever et détruire les mines dans les zones minées et prêter assistance aux personnes blessées par les mines.

L'intérêt vis-à-vis de la Campagne pour interdire les mines terrestres n'a cessé de grandir au niveau gouvernemental et non-gouvernemental. Cent trente-trois (133) pays ont maintenant signé le Traité, soit plus des deux tiers des États du monde. L'ampleur de l'appui international signifie que même les États qui ne l'ont pas signé se sentent contraints de cesser d'employer et d'exporter les mines et d'affecter des fonds au déminage. Même les États réfractaires réagissent aux pressions internationales; la Chine, la Russie et les États-Unis notamment ont procédé à

la destruction d'une partie de leur arsenal et adopté des moratoires interdisant l'exportation de mines antipersonnel. Le processus de ratification a évolué à un rythme très rapide, jamais vu dans l'histoire. En effet, la 40e ratification requise pour que la Convention acquière force de loi en droit international a été obtenue en septembre dernier, moins de dix mois après la signature de la Convention d'Ottawa (3-4 décembre 1997). Depuis septembre, 19 nouveaux États l'ont ratifié, portant le total à 64.

Depuis le début du processus, on estime qu'environ 10 millions de mines ont été détruites à travers le monde. Le nombre de nouvelles victimes baisse dans certains pays parmi les plus minés comme le Cambodge, l'Afghanistan et le Mozambique. Les mines continuent toutefois de faire des milliers de victimes dont une proportion importante d'enfants. Il reste donc beaucoup à faire notamment au niveau de l'universalisation du Traité et de la mise en application de ses dispositions, et en ce qui a trait au déminage et à l'assistance aux victimes.

Une coalition d'organisations non-gouvernementales ont établi pour ce faire un réseau basé sur la société civile appelé "Landmine Monitor", qui permettra de vérifier le respect de la Convention par les États. En mai 1999, les États se rencontreront à Maputo (Mozambique) pour la première Assemblée annuelle des États parties. Ils discuteront notamment des progrès accomplis dans la mise en oeuvre du Traité.

especially where child custody and access orders are concerned.

So why should law students in particular be interested in the U.N. Convention on the Rights of the Child? I suggest a few reasons: (1) it is binding international law, the potential of which remains to be explored; (2) it can guide the development of Canadian legislation and

judicial decisions; (3) the Convention is an unprecedented tool for advocacy; (4) the Convention opens the door to discussions at the cutting edge of legal scholarship such as the relationships between culture and rights, or between families and state institutions; and (5) some of us are parents, all of us were children, and we all live in community with children.

Symposium on the United Nation's Convention on the March 2nd to March 10th 1999

TUESDAY MARCH 2ND TO THURSDAY MARCH 4TH - ATRIUM

Look for our issue-spotting contest on the Convention –
Prizes to be won include Montreal Canadien's Hockey
Tickets!!

TUESDAY MARCH 2ND 6:00 PM - ROOM 202

In collaboration with the Green Party, a screening of the
Boys of St-Vincent

WEDNESDAY MARCH 3RD 12:30 PM - MOOT COURT

Father Emmett Johns Founder and President of *Le Bon
Dieu Dans La Rue* will talk about the situation of Street
Youth in Montreal

TUESDAY MARCH 9TH TO THURSDAY MARCH 11TH - ATRIUM

Display on Antipersonnel Landmines and their effect on
children

WEDNESDAY MARCH 10TH, 12:30 PM - ROOM T.B.A.

Mr. Robert Hatton, a Montrealer who upon retirement took
up the cause of children's rights in state institutions, will
talk about his experience, an inspiring demonstration of
what the Convention can do in the hands of one
determined citizen.

WEDNESDAY MARCH 10TH, 3:30 PM - ATRIUM

Mélanie Gagnon, Ambassadrice jeunesse pour l'action
contre les mines antipersonnel, donnera une présentation
sur l'effet des mines antipersonnel sur les enfants.

**Finally, we have also invited Michèle Lefebvre, the head of legal
services at Batshaw Youth Centers, to come speak during one of
Professor Van Praagh's Children and the Law Seminar. We
are still waiting for confirmation on a date for this
presentation. The class will be open to anyone interested in
attending.**

RIGHTS OF THE CHILD

IN CELEBRATION OF THE
TENTH ANNIVERSARY OF
THE UNITED NATION'S
CONVENTION ON THE
RIGHTS OF THE CHILD,
THE CHILDREN AND THE
LAW COMMITTEE IS
ORGANIZING A SERIES
OF EVENTS PERTAINING
TO THE STATE OF THE
WORLD'S CHILDREN.
THESE EVENTS WILL
TAKE PLACE OVER THE
NEXT TWO WEEKS
ACCORDING TO THE
DETAILED SCHEDULE
BELOW. FURTHERMORE,
IN YOUR QUID TODAY,
YOU WILL FIND A COPY
OF THE CONVENTION
WHICH YOU SHOULD
KEEP PRECIOUS AS IT
MAY COME IN HANDY
FOR SOME OF THE
EVENTS....

INTRAMURAL NEWS

Lionel Hutz Shines in Last-Minute Win

ALLEN MENDELSON - BCL II

Battling post-semi-formal hangovers, Lionel Hutz came through big time en route to a thrilling 3-2 final-minute victory over the previously unbeaten Superstars in Intramural Ball Hockey action Saturday. The win boosted Hutz' record to 2-1-1 with one regular season game left to play.

With a 12:30 P.M. game time, it was unclear who would show up considering most of the team was spotted at the semi-formal until the St. James Club closed. Goaltender Damion Stodola could barely stand at the time after battling the Commish in one-on-one shots earlier in the evening. Rumours had star forward Axel Bernabé asleep in his food during post-party late night munchies, and Captain Allen Mendelsohn still hadn't recovered following two late nights of memo-induced insomnia. As game time began, all three had arrived (albeit Axel was without the required goggles, proving a logistical nightmare for the rest of the game) along with Vic and Jeff. At least a default would not be the team's fate this day. Late arrivals Marc-André and Ronnie, who gamely rushed back home to retrieve her forgotten I.D. card, gave the team the two subs they would sorely need.

The first half was a splendid effort all around. The team seemed poised to run away with the game, getting goals from Axel and Marc-André. With a short bench and painful heads, the team was determined to slow the pace of the game and succeeded in doing so. The defence played solidly, although the quickness of the opposition did allow them to get some shots off. But Stodola was there, playing easily his best game of the season, later commenting that maybe he should get drunk the night before every game. He came up big when needed, including a Hasek-like stop (the phrase was heard on the bench before this reporter used it) stretching while down on his belly. The team entered the break confident, knowing they were controlling the

play and feeling they could have scored even more.

As the second half began, the team's fortunes began to change for the worse. The defence seemed a bit lost, their positional play becoming very messy. The result was two goals for the opposition, and the team was now deadlocked 2-2 in an epic struggle. A time-out after the second goal was called to help the team regroup, but they continued to struggle, and Stodola was needed to preserve the deadlock. With five or six minutes to go, however, Hutz began to pour it on, regaining some of the control of the game they had lost. Their increased efforts got them a power play chance, but it was squandered as they were unable to gain control in the offensive zone. The opposition called a time-out with two minutes left, and the stage was set for some last-minute heroics.

The time out did more good for Hutz than for the opposition. They came out on fire, ready to leave everything they had on the playing surface. With about thirty seconds to go, Marc-André lugged the ball down the left side and from in deep spotted Allen in front of the net where he had been a lot of times during the game without success. An accurate pass was about a foot in the air, and Allen deftly volleyed the ball off his shin and into the net. Despite cries from the opposition of «he kicked it in», the goal was allowed. One last face-off and the clock ran out, securing victory for the good guys.

The emotional victory seemed to have a bonding effect on the team, who had given their all and seen it had pay off. Hutz looks to carry that emotion and momentum the rest of the way.

intramural MARCH schedule 99

Hockey

Overruled

Friday, March 5, 20h30

Spawn of Fagan

Monday, March 1, 21h30

Wednesday, March 3, 23h30

Out of Order

Sunday, March 7, 18h30

Malum in Se

Sunday, March 7, 14h30

Soccer

Illegals - Men's A-league

Devil's Advocates - Co-rec

Mar 2, 18:30

Ball Hockey

Lionel Hutz

Tuesday, March 2, 18h30

ATTENTION!

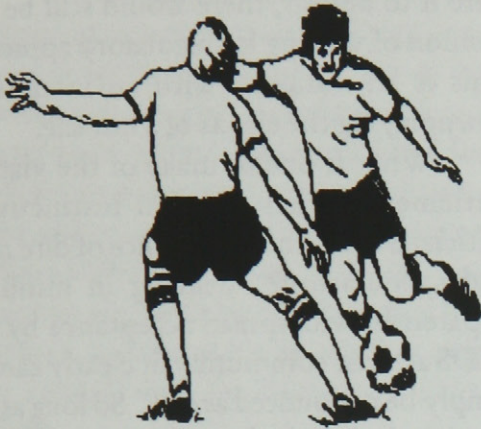
Hockey Playoffs:
Keep an eye on the
blackboard (behind the
kiosk) for game times.

**Fans will be
rewarded for
coming out!**

Details will appear soon...

INTRAMURAL NEWS

Soccer Spot



MIKE KANDEV, BCL II

Back from the memo, back from Valentine's Day, here is the soccer column again. I decided to refrain from sending my sports article for the special edition of the Quid, because I was afraid that I would send my memo instead. I am sure you wouldn't have liked this. I have three games to report and a fourth one is second-hand information.

The first game took place on February 3 between the *Devil's Advocates* and *Tango*. Here, I want to hear a loud "hip-hip hooray" for the girls on the team. There were only three of them (the minimum number) but they played as well as thirteen. First of all, I have to mention our dedicated captain, Cathy Erno, who, despite the memo, came, ran for 50 minutes straight and on top of that, scored two beautiful goals. Kate and Ronnie were also wonderful in attack and in defense respectively. Congratulations girls, for being in such good shape! A third goal for our team was scored from a very narrow angle by Huy. Damion let in only one goal, just to prove to us that he is human. Final score 3:1 for the *Devil's Advocates*.

On February 7, the *Illegals* played against the *Big Buck Slots*. At first we thought we would win by default, since the opposing team would not show up. Then we realized that the same team was playing soccer and

ball-hockey at the same time. We started by scoring two quick goals against our shorthanded opponents. The *Illegals* were dominating the game. However, it seems that we got a bit overconfident and we let the opposing team equalize by scoring from a distance. Moreover, our opponents were joined by their ball-hockey teammates and by the end of the first half they had a full line of substitutions. We came back in the second half with one more goal. The *Slots* retaliated with a goal of their own. Finally, after a largely unproductive half the *Illegals* succeeded in scoring twice more, for a final win of 5:3.

The *Illegals* played another game on February 9 against *Que Fuerte*. Our team was not in good shape that day. Moreover, our captain, David Simon was sick on his birthday and stayed home. The game was very

emotional. We won by a narrow margin of 4:3, with goals by Amarkai, Matias, Axel and Pete.

There was another game last Saturday, but, I didn't show up. Of course, as you all know, the semi-formal the night before extended unreasonably into the next morning. In fact, certain of my teammates (Axel and Marc, to mention a few) were seen sitting in front of a poutine in a downtown Montreal shish-taouk place at around 5a.m. At 11:30a.m., the time at which the game was scheduled, a limited number of Absolute Illegals® (™ Absolute Vodka, Sweden) were reported in the Currie gym. Despite the sleepless night and the quantities of alcohol consumed, our team was victorious - 1:0 with a goal scored in the final seconds by David Simon. Congratulations to all of those who showed up for the game!!!

Narrow loss to Knockouts in Women's B Action

DAMION STODOLA - BCL II

A few missed opportunities turned out to be the only difference in Out of Order's 1-0 loss to the Knockouts last Sunday. The only goal of the game took goalie Andrée-Claude Bérubé by surprise as it deflected off 4-5 skates before squeaking in between her legs.

Although both teams were evenly matched, Out of Order had a few shots but was unable to convert them into goals. Early in the game, Suzanne Davies screamed down the ice and was able to get a shot away. Élise Renaud, fast on Davies' heels, tried to get the rebound but just missed the puck.

Davies was on fire this game, rushing the puck up the ice and beating the Knockout defense on several occasions but unfortunately had no one to pass to once in the zone.

Ariane West-Pernica continued to build on her reputation as one of the best

two-way players of the team - catching a lone Knockout on a breakaway with a well-placed poke-check late in the first half.

Out of Order played a physical game which seemed to give pause to several Knockout forwards fearful of running into Marie-Josée "The Wall" Sheeks.

The physical play did not go unnoticed: Out of Order registered a season high 7.5 minutes in the sin bin. To their credit, however, they held the Knockout to 0 for 3 on the power play.

Other defensive stalwarts Mala Khanna, Catherine Purdon and Lia Ruccola also threw a few sticks into the Knockouts wheels, keeping the Knockouts to only 9 shots in the game - a three game low.

Bérubé kept the team in the game starting off early. Sprawled out on the ice, Bérubé snatched the puck out of the air with her glove to rob the Knockouts from an early lead.

Investing in Death

MATIAS MILET - LL.B. III

"This particular investment is quite different from anything you have probably ever heard about."

- ADVANCED FINANCIAL RESOURCES GROUP, INC.

Consider the classified ads of two people whose needs, at first blush, might seem unrelated:

**HIV-POSITIVE HOLDER OF LIFE
INSURANCE POLICY SEEKS FINANCING OF
COSTLY DRUG THERAPY**

**RISK-AVERSE INVESTOR LOOKING FOR A
HANDSOME RATE OF RETURN.**

According to dealers in what is known as the viatical settlement, these two should get together.

Through a go-between, a policyholder with a terminal illness can sell to an investor the right to receive the policy's death benefits. In this way, a person living with AIDS ["PLWA"] who has been diagnosed as having, say, a year to live can right away get much-needed cash. The investor, who buys the right at a discounted rate, gets a return on his investment that is guaranteed like no other because, as is well known, a life cannot not end. Where the uncertainty lies for the investor is in the rate of return: given the time value of money, the sooner death occurs, the higher the yield. Like someone who bets on a horse coming in first, the investor here bets on a speedy death.

The subject matter of the transaction is exotic, but the mechanics are those of ordinary contractual assignment. The insurance policy continues to bear on the same human life - Mary's for example - but the claim to benefits payable upon loss of her life goes to the purchaser of her policy.

The purchaser is at first a viatical company, a kind of brokerage which finds and screens potential vendors, buys policies and then resells them to investors.¹ As part of the deal, the new policy owner is also made the beneficiary. This has the often harsh consequence of freezing out any friends or family who might otherwise have been beneficiaries.²

Until a couple of years ago, the viatical settlement was, by and large, touted as a win-win situation, benefitting PLWA's, investors, and the viatical companies. Then came significant AIDS drug therapy advancements, which have extended life expectancy - only, no one can say yet by how much. In an industry where everyone had profited most when death came quickly - and could be predicted with relative certainty - these therapeutic advances have had an adverse financial impact on all the parties involved: investors face increased risk of purchasing a low-yield security; viatical companies are paying a lesser cut of death benefits to PLWA's, and the latter are finding it harder to sell their policies.

Viatical companies assure the investor that they have a sound strategy for coping with the increased risk of an insured life being much longer than expected. They now routinely encourage diversification into fractional holdings in a number of policies instead of laying all one's chips on a single policy. In this way, if a single insured life lasts exceedingly long, the portfolio as a whole is not severely diminished in value.

But even the mutual fund approach to risk of long life cannot protect against a more systemic risk: the discovery of a "miracle cure" for AIDS. The viatical companies address that peril tastefully but pragmatically.

Their view is that while we all hope for a cure, none is yet on the research horizon; and even were it to appear, there would still be the cushion of waiting for regulatory approval. This is an industry with an interest in downplaying the effects of a miracle.

What is one to make of the viatical settlement, which is often instinctively criticized as an unholy alliance of dire need and speculation? Bearing in mind its apparently widespread acceptance by the AIDS activist community, it clearly cannot simply be denounced as evil. So long as the market in viatical settlements is both regulated and competitive, PLWA's should both be able to avoid extortionary bargains and benefit from their policies at a crucial time.

Still, some would see the very notion of such a market - whether economically fair or not - as morally creepy. The viatical settlement does present a particularly salient, and unsettling, way in which legal rights attached to death can join the vast flow of tradable commodities in our economy. Such a commingling of profit and death certainly does seem to violate some kind of cultural taboo. What goes unnoticed, however, is that the taboo had long ago been broken. The possibility of benefitting from another's demise could not have become an object of exchange if that demise had not already been stamped with economic value by the underlying insurance contract, and the morality of that initial step does not seem to have troubled anyone. Once that step was taken, though, and assignability of the claim for death benefits was legally permitted, it seems patronizing to wish to deny the terminally ill access to competitive bidding for a future right (the right to collect death benefits) that has present value but that, by definition, can only be exercised by others.

¹ In the United States, there are over 50 viatical companies. M.H. Zern, "Tax-Free Death Benefits Before Death" *The Westchester County Business Journal* (31 March 1998) online; S. Sakson, "New AIDS drugs threaten profitability of viatical firms" Associated Press online.

² A waiver of beneficiary status by former beneficiaries is commonly required.

Pot, politics and personality rights

ALLEN MENDELSON - BCL II
(Founder, Interim President and Master of
the Rolls - Law Students for the
Decriminalization of Marijuana)

I smoke pot. I know that's not a big surprise to a lot of you out there but anyone else reading this should know that up front, not that you couldn't have figured it out by the title and by-line. You should also know up front that the views expressed herein are mine and mine alone, although I expect most of the LSDM would agree with a lot of what I have to say. But they haven't seen this in advance, so I speak for no one but myself. But enough with the disclaimers, let's get rolling.

My «coming out» of the (grow) closet in the first line of this piece could have repercussions I'm sure. I've admitted, on the record, that I'm a criminal. My career at Goodman Philips & Vineberg or even Mendelsohn Rosentzveig Schacter is probably over before it even began. But don't worry about me, I'm sure I can get a job with the federal government.

Let's talk about my so-called «criminal» mind. Society has branded me a criminal, but I really don't feel like one. I know when I light up a joint that I *intend to break the law, but I really don't believe the law is just. Does this qualify as mens rea?*

This brings me back to my conundrum upon entering law school oh so many memos ago. Are lawyers supposed to be 100% law-abiding citizens, I thought to myself? People I had known over the years and smoked with were now lawyers (and I know they still smoke), so that made me feel a little better. As first year progressed, one theme seemed to emerge from all my classes - the law is perpetually changing. We constantly make new rules and modify or expunge existing ones. This gave me hope. I also felt a lot better after that first time I smoked with other law students who shall remain nameless - they know who they are - thanks, guys.

Changing the law - now that's the real theme I'd like to see emerge from this piece. That's partly why I wanted to be lawyer in the first place, and that's why I started the LSDM. You hear phrases like «such reasonable limits prescribed by law as can be

demonstrably justified in a free and democratic society» or «except in accordance with the principles of fundamental justice» enough times and you start to take these things to heart. We're constantly reevaluating the law to conform with existing realities. I'm sure a lot of you out there believe there is some law on the books which shouldn't be, or there's some law that isn't on the books that should be. You may find a way in your future careers to influence the law and I wish you the best of luck in doing so. A lot of you participate in other student groups whose goal is to influence the law in one area or another. I wish all of you the best of luck, too. All I ask is you give my group and this cause the same consideration, whether you agree or not.

So why do I think pot should be legalized? (or decriminalized - you pick your terms, I'd be happy with either one) I always like to reverse that question and ask: «Why is pot *illegal*?» Anyone? Anyone? Bueller? Bueller? I never get a satisfactory answer to that question, and I've asked it a million times. «It's bad for your health», they say. Cigarettes, alcohol and double chocolate cheesecake can be bad for your health, and they're fine according to law. «When you smoke pot, you're a danger to other people», they say. Bullshit. The worse thing I do when I smoke pot is stroll to the dep for Doritos and M&M's. Maybe I'll accidentally bump into someone along the way, but I always apologize like a madman. No one gets violent when they smoke pot - that's anti-drug propaganda. But I sure see fights in bars all the time. You be the judge of what can cause violence.

«It's addictive», they say. This is the one that really pisses me off. Whether it's addictive or not is irrelevant (although most scientists agree it's not physically addictive). Gambling and alcohol are addictive, yet the provincial government runs casinos and liquor stores. The hypocrisy of the whole situation is what annoys me. The government seems to trust me to gamble and drink responsibly, but it doesn't trust me to smoke pot responsibly. And I do use pot responsibly. I worked for four years before law school,

and pot never interfered. When I felt like it, I smoked at night or on weekends to relax and unwind after a tough day or week at the office. To me this is no different from my father and his scotch when he gets home from the office. I wake up the next day, go to work, pay my taxes and otherwise live a normal, law-abiding life. Why is the

government telling me I can't relax the way I want to if I'm not harming any of my fellow citizens? To me this is a violation of my personality rights. I want answers, and I can't find them. If you've got them, please let me know.

Is this political material? They used to have a phrase in the 60's - the personal is political (emphasis

added). Despite being branded as a neo-hippie, I am certainly not stuck in the 60's, but that phrase makes sense. The law gets «personal» all the time. Changing the law can either be a judicial or political process. Unfortunately, any drug subject is too taboo for any politician to discuss openly except to condemn them. As a future lawyer, I look forward to using both processes to see the law changed. Taboo be damned. I'm not afraid to air these opinions openly, because I know there are others who feel the same way. There is strength in numbers.

I could go on and on about why I think pot should be legalized - limited resources of the justice system, medical marijuana, etc., but that's not the point at the moment. I'm not really trying to influence opinion here. I only look to stimulate debate, and to get all of you to question any law you have problems with in the same way I've done.

I hope this piece hasn't come off as the ramblings of a raving lunatic pothead. I take this topic seriously (but not too seriously - pot is supposed to make you laugh, after all) and that's what I hoped to express. Expressing your views, questioning the law - isn't that what law school is all about?

I've admitted, on the record, that I'm a criminal... But don't worry about me, I'm sure I can get a job with the federal government.

A Tale of Two Cities

JONATHAN MARTENS - LLB III

How to describe this place...? Renowned navigator Sir Francis Drake described it as «the fairest cape we saw in the circumference of the globe.» Truly a ringing endorsement! Yet, nestled as it is between the icy South Atlantic and the luke-warm waters of the Indian Ocean, and the curiously leveled-off summit of Table Mountain, the word "fair" does not even begin to do justice to this cape town. The guidebooks try to compare it to San Francisco for its moderate climate and impossibly rugged landscape; to Greece for its gleaming whitewashed walls and sparkling blue seas; and to Rio for its lively, cosmopolitan feel. But if you truly wish to catch a glimpse of Cape Town, you must infuse these limited comparisons with its regalia of hibiscus, bougainvillea, jacaranda and countless others. Oaks from the Northern Hemisphere, Australian Blue Gums, and African Acacias grow within a few meters of each other. It is a fact that there are more species of plant life on the Cape of Good Hope than in all of Europe. Add to this leafy picture the perfect, sandy beaches stretching endlessly along both coasts, and the dozens of bays and inlets where one can watch dolphins, whales, and even penguins frolicking in the surf. «Raindrops on roses and whiskers on kittens...» Ja...to be sure. Now imagine neatly uniformed school children, colourful street performers, talented singers and musicians at every corner, and sensitive, personable bankers [haha...just kidding about that last one, of course...]. In short, Cape Town offers a glimpse of paradise that defies helpful comparison. It is unique, and truly beautiful.

But wait, you say, puzzled. There's something wrong here. Isn't this Cape Town, South Africa? You're talking about the home of apartheid, aren't you? Where are the scars? Ah yes...there is something else going on here, isn't there? I haven't told the whole story. It's as though I've set the stage only partially. Let me try again. Are you ready? You'd best prepare yourself, because I'm going to tell you about Khayelitsha, at least as best as I am able....

If you arrive by air, as I did, you will pass it on your way into town - an endless

frankenshtine city of tin and rubber, cardboard and rope stretching as far as the eye can see. And yet, it is not really a "city" at all, for the word to me implies some sort of order, and there isn't much of that in Khayelitsha. How best to define it then? Is it a slum? Most assuredly, except that to describe it so fails to inject it with the reality that is so uniquely South African. The local word is one with which we in the West have become quite familiar over the past two decades; it is a "township." I know very well the picture I'm painting with this word; one of bullets and burning. But the "township" is no relic of the apartheid era, I assure you. That chaos is alive and well in Khayelitsha, although the reasons for it are changing. No one really knows just how many people live here. Its inhabitants are so transient, and life so uncertain, that government statisticians can only make rude estimates of its population, if they bother at all. By all accounts, life is hell in Khayelitsha. Let me share just a few of the week's headlines:

FLOWER GANG KILLERS
MERCILESS

SIX SUFFOCATE IN HIJACK
HORROR

HITMAN THREATENS NEW MP
PUPILS TO GO HUNGRY AFTER
SCHOOL HEIST [and perhaps most
telling...:] LAW IS A SHAMBLES AND
BARBARISM RULES

I could go on for pages. Khayelitsha is so overrun with gunrunners and gangsters, terrorists and drug addicts that local law enforcement seems to have adopted a policy of containment, rather than the imposition of order. Of course, local wisdom will suggest that the police do not want to disrupt a situation from which they profit so enormously. There is no trust, you see, and the allegations of corruption have from time to time been borne out by proven facts. Who are the bad guys? No one knows anymore. It is chaos incarnate. Unfortunately, it is only one of several such abominations on the Cape Flats - a massive plain that is approximately 32 km. south of Cape Town. It is where the largely black population of the renowned District Six was deposited after it was felt they were getting too close to Cape Town's lily-white suburbs. But the townships have grown

quickly as refugees of greater horrors elsewhere flood into the Cape in search of work. It is ironic, or perhaps not, that the boundaries dividing them from Cape Town are once again beginning to blur.

So yes...there are two stories to be told here - polar opposites sitting side by side - that of Cape Town, and that of Khayelitsha. And yes, they are both primarily stories about race. This is South Africa after all, and the legacy of apartheid remains fresh. I'm finding that it provides for at least one major crisis of conscience a day, and it is indeed a constant struggle to live rightly in such a place. But then, that's one of the reasons I've come here, to understand - not just with my head, but in my bones - what it is to live here. South Africa is unlike any other place I've ever lived, and I suspect that there is not another like it on the planet. For those with an international curiosity (McGill now offers a bilateral exchange with the University of Cape Town), I encourage you to come here. It may very well be the ultimate microcosm of the future of our world and, therefore, offers an unparalleled educational opportunity. For more information on the courses offered at UCT, or more generally, please feel free to contact me at marten_j@yahoo.com. Take care all.

NEXT QUID

March 8

**Deadline for
submissions...**

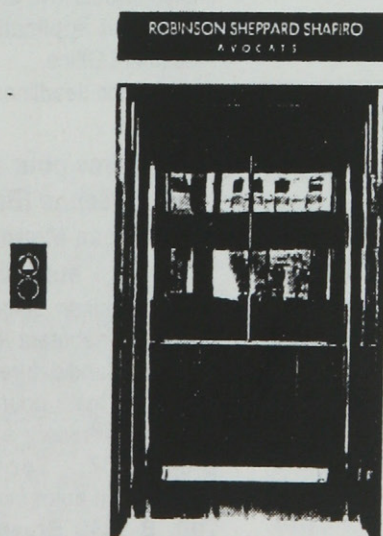
Thursday March 4
at 17h30

Atteignez les sommets de la profession en 36,5 secondes.

36,5 secondes et 47 étages,
voilà tout ce dont vous avez besoin
pour démarrer votre carrière.
Chez Robinson Sheppard Shapiro,
nous ne faisons pas que
vous offrir une ascension rapide,
nous vous offrons également
des avantages uniques :
responsabilités accrues, autonomie
et atmosphère de travail conviviale.
Mais notre ascenseur, aussi rapide soit-il,
ne peut accueillir que trois
ou quatre passagers à la fois.
Voilà pourquoi nous sommes si sélectifs.
Alors si vous désirez atteindre
les plus hauts sommets pour y demeurer,
qu'attendez-vous pour monter ?

Pour venir nous rejoindre, contactez

Me Jacques Bouchard Jr



ROBINSON SHEPPARD SHAPIRO
A V O C A T S

800 Place Victoria, 47^e étage, Tour de la Bourse, Montréal, Québec H4Z 1H6

events

SYMPOSIUM ON THE U.N. CONVENTION ON THE RIGHTS OF THE CHILD

**Tuesday March 2nd, 18h - Rm 202
The Boys of St. Vincent**

A harrowing depiction of life in a fictional Newfoundland orphanage, where young boys are preyed upon by the Catholic brothers who are supposed to be their protectors and guardians. The film traces the boys' 15 year struggle to bring their tormentors to justice.

*The Green Party and
CHILDREN AND THE LAW*

**Wednesday March 3rd, 12:30 pm,
Moot Court**

Father Emmett Johns - Pops - Founder of Le Bon Dieu Dans la Rue, will speak about the situation of Street Youth in Montreal. *Dans la Rue* was started 10 years ago to help street youth in Montreal by providing a mobile referral and drop-in center. Since then a short term shelter and a day center have been opened to provide a wide variety of services such as shelter, access to school, a music and arts program, counseling, and lunch to street youth under the age of 25. Father Johns is an engaging speaker with a wealth of knowledge and experience which he is always very eager to share.

C&P

Kate Corban & Stefan Fews, Co-Chairs
Tel: 398-6159 email:
placement@lsa

Francine Cholette, Director
Tel: 398-6618 email:
cholette@falaw

OFFICE HOURS:

Monday to Thursday
10:30-12:00/2:00-3:30
Or by appointment

Please note that our Newsletter is also published on the Notice Board

Career & Placement

WELCOME to the 3 Placement Office Coordinators, Ayse, Xinnan or Shahina who have now been with the Placement Office for a few weeks and have done so far impressive work to update our documentation centre. Hundreds of letters have been sent to employers, law firms and many other organizations requesting updated materials. And we are working on more projects to give students the best possible information on careers and placement. It is on its way!! I will not be in the office this week, but if you have any questions, please feel free to ask one of our coordinator.

ARTICLING POSITIONS FOR 2000-2001

Ministère de la Justice, Canada
Articling Positions: Civil Law 2001.
Deadline for Montreal applications:
February 15, 1999
Articling Positions: Common Law. Deadline
for Ottawa applications: March 31, 1999
More info on <http://canada.justice.gc.ca>

Flynn, Rivard...

cabinet de cinquante d'avocats situé à Québec, est à la recherche de stagiaires pour le stage débutant au printemps de l'an 2001. Les candidats sélectionnés pourront aussi travailler auprès de notre société comme étudiant et ainsi se familiariser avec la pratique privée avant le début de leur stage. CV + Relevé de notes à: Me Geneviève Cotnam, Flynn Rivard, 70, Dalhousie, Bureau 500, Québec G1K 4B2. Entrevues prévues pour le mois de mars 99.

STAGES POUR 1999-2000

Flynn, Rivard, cabinet de cinquante d'avocats situé à Québec, est à la recherche de stagiaires pour le stage débutant au printemps de l'an 2000. Les candidats sélectionnés pourront aussi travailler auprès de notre société comme étudiant et ainsi se familiariser avec la pratique privée avant le début de leur stage. CV + Relevé de notes à: Me Geneviève Cotnam, Flynn Rivard, 70, Dalhousie, Bureau 500, Québec G1K 4B2.

INTERNATIONAL POSITIONS FOR 1999-2000

Coudert Frères is currently seeking law students interested in spending 12 months working in one of their European offices.

Coudert Paris office is not hiring two interns with strong writing skills, solid working knowledge of Anglo-American legal terminology and fluency in French. The work entails legal translation from French to English, as well as some participation in projects with their attorneys. Their areas of practice include primarily corporate law, mergers & acquisitions, labor law, taxation, capital markets, antitrust, media, mining, arbitration, telecommunications, and litigation. The intern would gain exposure in all of these areas.

For September 1999, the Brussels office is seeking a paralegal with strong drafting skills and a knowledge of EC and antitrust law. Applicants need not be fluent in French, but a certain level of proficiency is required.

Résumés should be directed to: Ms Mandi L. Matlock, Coudert Frères, 52 ave. des Champs-Élysées, BP 639, 75367 Paris Cedex 08. Tél: +33(0)1.53.83.60.00 Fax: +33(0)1.53.83.60.60
Website: info@paris.coudert.com

CARRIÈRES ALTERNATIVES

McKINSEY & COMPANY...

...presents its program Insight Law '99 - A Three-Day Insider's Look into Management Consulting for Law Students. 3 days at their expenses in Miami, on April 15 to 18 (Oops!! exams period..... but not for US students...)

If you are interested in management consulting and would like to gain insight into this world and you believe you can manage your agenda around their dates and you would love to spend three days in Miami, get application brochure from Placement Office.

Applications deadline: March 12.

Stagiaires pour la Commission européenne (Bruxelles) de la Chaire Jean Monnet en intégration européenne

Deux fois par an, stages d'une durée de 3 à 5 mois, débutant le 1^{er} mars et le 1^{er} octobre. Candidatures déposées au plus tard le 31 mars pour le stage d'octobre prochain. Adressée à Bureau des stages B-68 1/37, Secrétariat général, Commission européenne, Rue de la Loi, 200, B-1049 Bruxelles. Voir détails concernant définition du stage, admission et sélection des stagiaires à nos bureaux. <http://europa.eu.int> Formulaire au Service de Placement.

CLERKSHIP

Nova Scotia Court of Appeal

June 1999 to May 2000. One position open of Law Clerk to the Justices, in Halifax, Nova Scotia. The applicant may be able to secure the approval of the Nova Scotia Barristers' Society for a portion of the time served to be credited to articling time requirements of the Nova Scotia Barristers' Society.

Forward: cv + transcript of marks in law school + 3 references letters, to The Honourable Justice David R. Chipman, Nova Scotia Court of Appeal, The Law Courts, 1815 Upper Water Street, Halifax, NS B3J 1S7. Deadline: March 31, 1999

Tax Court of Canada 2000-2001.

PLEASE NOTE THAT DEADLINE IS NOW APRIL 11. To commence May 2000, located in Ottawa. Applications to be sent to: Alan Ritchie, Tax Court of Canada, Centennial Towers, 200 Kent Street, Ottawa K1A 0M1.

British Columbia Court of Appeal and Supreme Court

Judicial Law Clerk Program
Positions available in Vancouver, Victoria, and New Westminster for students with sufficiently high academic standing to serve as Law Clerks for the 2000-2001 term. To commence September 2000 and ending in June or August 2001. Interviews of positions will take place in May 1999. Resumes should be submitted by March 31, 1999, to: The Law Clerk Program, The Law Courts, 800 Smithe Street, Vancouver, BC V6Z 2E1. Attn: Torri Enderton Tel: (604)660-2729 Fax: (604)660-1951

BARS

LSB.C. Application deadline: April 1, 1999 for September PLTC Option. LSAP start date: August 30, 1999. The students attend PLTC from Aug 30 to Nov 5, and then proceeds to articling.

SUMMER POSITIONS

Summer Internship: Canadian Embassy in Washington, DC

Canadian Embassy Internship Program is designed to provide students with an opportunity for involvement in governmental affairs, as well as provide a general understanding of the Canada-US bilateral relationship. Several positions

Career & Placement

in the Embassy. This internship is non-remunerative and based on a 4 ½ days / week.

Recruitment open to Canadian and American students presently registered in a 3-year program in a Canadian or American college or university. Highly Competitive. There is a strict screening and the minimum GPA accepted is 3.5. More info at CAPS, Powell Building where you will find the Application form.

To apply: application form + autobiographical sketch + résumé + transcript + 3 letters of recommendation (academic/employment). To be mailed directly to CE in Washington

Deadlines:

March 15 for May-August 1999

July 15 for September-December 1999

November 15 for January-May 2000

All applicants will receive notification 2 weeks after deadlines.

Banque Nationale Summer Program for Disabled Students.

To work downtown Montreal, for 12 weeks during summer 1999. Position will be tailored to fit your skills, abilities and interest. Applicants must have a physical disability, as certified by a medical practitioner, must be legally entitled to work in Canada, and must be full-time university students in Quebec, Ontario or New Brunswick, and registered in a program that leads to bachelor or master degree in a banking related field. Applicants who have already obtained a summer job under this program are not eligible a second time. Please get application form from CAPS and then send directly to the Bank. Deadline: March 5.

Placement Étudiant du Québec
Formulaires maintenant disponibles au Service de Placement

Voir <http://www.placement-etudiant.micst.gouv.qc.ca>

Fonction publique Emplois d'été - voir <http://jobs.gc.ca>

On peut s'inscrire directement via la site Web

McGill emplois d'été <http://www.mcgill.ca/stuserv/caps>

PART TIME POSITIONS

Rights Manager...

...for a children's book publishing house, Lobster Press Ltd, based in Montreal. Selling the rights attached to literary works

on the international market. Flair for the sales. Bilingual. To conduct negotiations and close deals. Intern basis for 6 months, then possibility for full-time position. Contact Ms A. Fripp, Publisher, at 989-3121, fax 989-3168, email fripp@lobsterpress.com; www.lobsterpress.com More info on the board.

Research Assistant

'Types and frequency of ethical dilemmas seen in palliative care'. Qualitative project involving a literature review and semistructured interviews with palliative care patients and their family members. 150 hours at 12\$/hr, flexible schedule, between March-June 1999. Please contact: Dr. Anna Towers, tel: 842-1231#5155 or send letter and cv to RVH, Room R6-09, 687 Pine West, Montreal H3A 1A1, fax : 843-1471.

Offshore Finance Canada Research Editorial Assistant.

2 part-time positions available. Schedule: 3-5days/wk, 4-5hrs/day. 8\$/hr. Research legislative changes in various offshore finance centres design and development of editorial surveys. Review and editing of articles. Compilation of date. Contact: Brian Stammer at 939-2800 or email: island@aei.ca

GRADUATE STUDIES INFORMATION CENTRE

Did you know that the Faculty has a Graduate Studies Info Centre. It is located in 3661 Peel Street Building, on the 2nd Floor. Please visit it if you are considering continuing your education after bachelor's degree.

S.O.A.R. MENTOR PROGRAM

Did you know that the McGill Student Organization for Alumni Relations is a student club where McGill students work with McGill Alumni on various projects. They run the SOAR Mentor Program. This program was established to assist students in their career preparation. You will be linked up with McGill Alumni who are established professionals in the law field. I was informed that many Faculty of Law Alumni have registered to be Mentor with this program. They can provide valuable advice about careers, firms, job requirements, duties. To apply: pick up your Application Form at the Placement Office.

GRADUATING SURVEY - CLASS OF 1999

Thanks for completing the survey that was sent to you by email and returning it to the Placement Office. Paper copy of the survey also available at OUS or at the Placement Office.

WEBSITE THE MUST

www.martindale.com

More than 900,000 law firms listed around the world. You can search this site by lawyer's name and/or by firm's name and/or by size of the firm and/or by AREA OF PRACTICE and/or by geographical area (please note that the canadian provinces are listed after all US states)

You get links to the firm's website with full lists of their lawyers and expertise. Anything you want to know about Law Firms & Lawyers around the world, you have it their. Even lawyers' birthdate if you want to send them a birthday card to enhance your application with them!!! Joke, not advisable.

MORE WEBSITES

National Articling Database (NAD) on Quicklaw

www.lexis-nexis.com

www.abanet.org

www.lawinfo.com

www.emplawyernet.com

www.lawmatch.com if you wish to leave your cv on the net

RECRUTEMENT DE MONTRÉAL - STAGES 2000-2001

L'ENTENTE de recrutement de Montréal stipule que: 'Aucune entrevue ne prendra place avant le lundi 8 mars 1999; aucune offre d'embauche ne pourra être formulée, directement ou indirectement, avant le 29 mars 1999; toute offre d'embauche formulée devra inclure un délai d'acceptation minimal de 72 heures et ne saurait être retirée avant l'expiration de ce délai; est prohibée toute question hypothétique visant à connaître, avant le 29 mars 1999 et/ou avant la formulation d'une offre d'embauche, la réponse d'un étudiant à une offre d'embauche ou de stage qui pourrait éventuellement lui être formulée.

PRÉPAREZ-VOUS POUR VOS ENTREVUES

Que recherche l'employeur? Comment lui démontrer?

La première impression. Soyez à l'heure. Ayez une bonne présentation. Poignée de main ferme. Tenue vestimentaire sobre, classique, tailleur-jupe pour les filles, costume pour les gars. Remercier la personne de vous recevoir en entrevue. Regardez l'interlocuteur dans les yeux. Démontrez de la confiance en vous sans être arrogant. Soyez calme. Connaissiez-vous bien. Vous devez être prêt à donner beaucoup d'exemples concrets de vos réalisations, de vos forces. Ayez en tête des exemples d'habiletés transférables et recherchées par l'employeur. Les faits et les chiffres parlent d'eux-mêmes. N'ayez pas peur de vous vendre.

Soyez enthousiasme, énergique, positif. Parler de vous avec enthousiasme. Ne soyez jamais NÉGATIF à aucun moment. Vous n'avez pas de PROBLEMES: vous avez relevé des DÉFIS.

Démontrez des habiletés de communications, exprimez-vous clairement. Si vous ne saisissez pas la question, demandez de répéter plutôt que de répondre erronément. Attention de trop parler. Répondez directement aux questions. N'interrompez pas l'intervieweur.

Soyez attentif au langage non-verbal de votre intervieweur tout au long de l'entrevue.

Démontrez de l'intérêt et de la motivation. Connaissiez la firme, leurs spécialisations, leurs principaux mandats. A la fin de l'entrevue, posez des questions. Ex: comment se fait l'attribution des tâches aux stagiaires. Combien de femmes sont maintenant associées dans la firme. Ce n'est pas le moment à ce premier stade de discuter les conditions de travail et le salaire.

Logistique: céder vos entrevues au moins deux heures à part pour éviter les conflits d'horaire en cas de retard d'un employeur. Concentrez vos efforts sur les firmes qui vous intéressent le plus.

Et surtout SOURIEZ ça vous aidera à être plus détendu et ce sera tellement plus agréable pour l'intervieweur.

Après l'entrevue. Transmettez un mot de remerciement à votre intervieweur pour vous avoir reçu et réitérant votre intérêt pour travailler pour eux. Faites une auto-évaluation de votre entrevue afin d'améliorer vos performances.

COLUMN LAST

Start the Madness

MARVIN LIEBMAN BCL I

March Madness is coming! Those fateful few weeks when the sixty-four best American college basketball teams battle it out on the road to the Final Four and ultimately the NCAA championship are fast approaching. While I admit to not being an avid watcher of sports events, for the past two years, I have kept a close eye on this particular college basketball tournament. I plan to do the same this year. Why? You may ask. Well, I am glad you asked. (For those of you who didn't... assume you did.)

For the past two years, some friends of mine have put together a March Madness Charity Basketball tournament. While many pay money to enter pools at the end of which a lump sum of cash can be won, how many of us can say that we enter a pool not for ourselves, but to benefit others? Have no fear, for now you can. With the support of the SSMU, a basketball pool is being organized the proceeds of which will all go to the Montreal Children's Hospital. Prizes include premium seats at Habs games, gift certificates to popular restaurants and stores, movie passes and more. As it stands now, the combined total value of all our prizes exceeds \$1 500.

This is a really good chance to participate in a basketball pool that costs very little to enter (\$4), help a worthy cause, and most importantly (depending on who you ask, I guess,) win terrific prizes. I'll be selling entries to this pool in the Law Faculty the week that we return from Spring Break. It is my hope that we all help support this worthy cause. Who knows, maybe we can even start another McGill Law winning tradition that will carry on for years to come.

***I will be approaching as many students as I can to help make this event a success. If, for some reason I don't get to you and you see me selling, please approach me. I'll be the one with the look of madness on my face.

Molson Aix

CONTINUED FROM PAGE 1

«Alors, après 5 semaines à te promener au Moyen-Orient durant le Temps des Fêtes, après avoir manqué la dernière semaine d'école pour aller en ski dans les Alpes; as-tu des plans pour le congé la semaine prochaine?»

«You're trying to get me in trouble, aren't you? Actually, I will be sampling the south of Spain with Todd Wharton (Nat'l IV - currently based in Amsterdam) before Kim Trapp (Nat'l IV) arrives for a taste of Provence. You're one to talk, "M. Europe de l'Est".»

«Je m'en vais maintenant en Grande-Bretagne. Je suis M. Europe, pas seulement M. Europe de l'Est...»

«Ya, ya...Mr. World Traveler...always bragging.»

«Bon ben avant de partir, il faut étudier un peu. En passant, tu sais pourquoi la constitution n'est pas le sport national des Français? Personne ne peut jouer, les règles sont trop compliquées et personne ne les comprend!!!»

«Whatever. Allez, bon courage, bonne continuation.»

Bisou.

Cassels Brock & Blackwell

INNOVATION AND EXCELLENCE

Cassels Brock & Blackwell has been providing high quality legal services in Canada for more than a century. It has become one of the fastest growing and most innovative law firms in Toronto by attracting recognized specialists in a number of cutting-edge practice and industry areas and by attracting and maintaining our commitment to highly qualified students and associate lawyers. Our practice includes:

- | | |
|---|------------------------------|
| > Business Law | > Insurance Law |
| > Business Restructuring | > Intellectual Property Law |
| > Commercial Litigation | > Mining Law |
| > Construction/Errors & Omissions | > Real Estate Law |
| > Electricity & Energy Law | > Securities Law |
| > Information, Communications & Entertainment (ICE) Law Group | > Sports & Entertainment Law |
| | > Tax & Estates Law |

Please contact us to discuss our future and yours.

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